

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

15-CR-6132

WILLIAM NATHAN MARTIN, JR.,

Defendant.

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**STATEMENT OF THE GOVERNMENT WITH RESPECT  
TO SENTENCING FACTORS**

**PLEASE TAKE NOTICE**, the government has fully reviewed the Pre-Sentence Investigation Report ("PSR") submitted by the United States Probation Department on or about February 8, 2016. The PSR is consistent with the terms and agreements of the plea agreement entered into by the parties. As such, the government has no objections to and adopts the findings of the PSR.

On October 13, 2015, the defendant entered a plea of guilty to a violation of Title 18, United States Code, Section 2422(b) (Enticement of a Minor). Based upon his plea, Mr. Martin faces a minimum sentence of ten years imprisonment and a maximum possible sentence of life imprisonment, a maximum fine of \$250,000, a mandatory \$100 special assessment, and a term of supervised release of five (5) years to life. The parties and the Probation Department agree that Mr. Martin's recommended guideline range is a term of imprisonment of 120-135 months. However, the parties have agreed to 120 months

imprisonment to run concurrent with the state sentence that the defendant will receive for the related charge of Rape in the Second Degree, pursuant to Rule 11(c)(1)(C). Accordingly, the government requests the Court impose 120 months imprisonment to run concurrent to the state court sentence.

The defendant is required to pay a \$100 special assessment pursuant to 18 U.S.C. §3013 at the time of sentencing. Immediately after sentencing, the defendant must pay the amount due by personal check, cashier's check or certified funds to the United States District Court Clerk.

It is requested that the Court order that all financial obligations be due immediately. In the event the defendant lacks the ability to immediately pay the financial obligations in full, it is requested that the Court set a schedule for payment of the obligations.

In the event present counsel for the defendant will continue to represent the defendant after sentencing in regard to the collection of unpaid financial obligation(s), it is requested that a letter so advising be sent to:

Asset Forfeiture/Financial Litigation Unit  
U.S. Attorney's Office--WDNY  
138 Delaware Avenue  
Buffalo, New York 14202

If a letter is not received within 10 days of sentencing, the defendant will be directly contacted regarding collection of the financial obligation(s).

DATED: March 1, 2016

Respectfully submitted,

William J. Hochul, Jr.  
United States Attorney  
Western District of New York

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TO: Hon. Frank P. Geraci  
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